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YSK

Assistant Secretary John Berry
c/o Document Management Unit
Department of Interior
1849 C Street, N.W., Mailstop - 7229
Washington, D.C. 20240

Dear Assistant Secretary Berry:

Aloha kaula! Thank you for sending me a copy of the Draft Report on the Reconciliation Process Between the Federal Government and Native Hawai'i. It is the first federal government report on Native Hawaiians that I have read which summarizes the history and issues for us, so succinctly, objectively and sensitively. You and those listed on page 7, who assisted in preparing this report, should be commended for the fine product.

Some of my comments on the draft recommendations are:

- ❖ Recommendation 1. I support the recommendation that Congress enact legislation to clarify the political status of Native Hawaiians and to enable the creation of a framework for recognizing a government-to-government relationship with a Native Hawaiian governing body. Passage of an amended version of S. 2899 (H.R. 4904) will accomplish that initial step toward recognition. The specific details of the framework for recognition should be proposed by Native Hawaiians through their elected leaders and ratified by the Native Hawaiian electorate.

Note: As an interim measure for developing initial proposals, Senator Akaka may choose to convene a Native Hawaiian Governance Advisory Forum comprised of *current and former* elected Native Hawaiians from state, county, Office of Hawaiian Affairs and 'Aha Hawai'i 'Oiwī Executive Council. The proposed governance documents from their deliberations would be presented to the Native Hawaiian electorate for ratification. Concurrent with this ratification, leaders of the Native Hawaiian Governance Advisory Forum can be selected as *interim* representatives of Native Hawaiians in *initial* meetings with federal government agency representatives. Once the governance documents are ratified, a formal election of Native Hawaiian government leaders will be held.

These elected government leaders will represent Native Hawaiians in all future meetings with the federal government.

- ❖ Recommendation 2. I support the creation of a permanent office on Native Hawaiian issues with the Department of Interior, staffed by experienced, permanent, career persons dedicated solely to working on issues of concern to Native Hawaiians. It is primarily through this action that the implementation of critical, concerted action can be asserted, pursued and sustained on behalf of Native Hawaiians.

Priority action on the transfer of future surplus federal lands to the Native Hawaiian people should be initiated immediately, concurrent with the creation of the Native Hawaiian Office. Time is of the essence.

I am pleased to see an affirmation of efforts to rename geographic features on lands, managed by Interior bureaus, with traditional Hawaiian names. I suggest that the Secretary urge other federal departments and agencies to do likewise in the future.

- ❖ Recommendation 3. I support the recommendation for a representative of the Office of Tribal Justice (Department of Justice) to be assigned for regular consultation on Native Hawaiian issues.
- ❖ Recommendation 4. I support the creation of a Native Hawaiian Advisory Commission to provide consultation and advice (to all bureaus within Interior that manage land in Hawai'i) regarding land management, resource, and cultural issues affecting Native Hawaiians.

Rather than having the Native Hawaiian Advisory Commission consist of Native Hawaiians appointed by the Secretary of Interior, I suggest that a majority of the commission be constituted of individuals appointed by the elected Native Hawaiian governmental leader(s), or an interim governing body, with other members to be appointed by the Secretary of Interior.

- ❖ Recommendation 5. With the passage of an amended S. 2899 (H.R. 4904), there is the start of a collaborative effort by the Executive Branch, Congress and Native Hawaiians to develop an appropriate process to assure true reconciliation.

Thank you for the opportunity to share my thoughts with you. I look forward to receiving the final report and the full implementation of the recommendations.

My best wishes for your continued good work on behalf of indigenous people, especially Native Hawaiians.

Sincerely,


Winona E. Rubin

Addendum:

1. Please note that on page 27, in the first sub-paragraph, there is a typographical error in the date of the Bayonet Constitution.

"On January 14, 1893, to abrogate the [1897] 1887 'Bayonet Constitution' and"

2. You may wish to obtain software from Guava Graphics or Kualono for use on the final report and future materials dealing with the Native Hawaiian language. It will enable you to reproduce the diacritical marks which are used in the language with less difficulty. The software may be obtained from either of the two sources listed below.

Kualono (<http://www.olelo.hawaii.edu/OP/resources/fonts.html>)

Guava Graphics
P. O. Box 88143
Honolulu, HI 96830-8143
(808) 522-9090
www.guava.com